

## MEMORANDUM OF UNDERSTANDING

THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

And

THE CITY OF WINTER PARK, A MUNICIPALITY OF THE STATE OF FLORIDA

WHEREAS, it is the policy of the State of Florida, Department of Transportation (Department) and of the City of Winter Park, a municipality of State of Florida (Winter Park) to cooperate with each other in order to maximize the use and allocation of the monetary resources each are entrusted with, and

WHEREAS, the parties hereto mutually agree that the extension of Lee Road from US 17-92 to Denning Drive and the improvements on US 17/92 from Norfolk Avenue to Monroe Street, will benefit the traveling public and will enhance the transportation system in the area, and

WHEREAS, the parties further agree that the construction of a bicycle trail along Denning Drive within the City limits of Winter Park are in the public interest, and

WHEREAS, the Department has completed a PD&E study associated with the extension of Lee Road between US 17-92 and Denning Drive that indicates the need for and the viability of said extension of Lee Road

IT IS AGREED BY THE PARTIES TO THIS MEMORANDUM OF UNDERSTANDING:

1. The transportation improvements covered by this memorandum of understanding are as follows: (a.) Extension of Lee Road, and the enhancements to US 17/92 (FM #408429) and (b.) the Bicycle Trail within the limits of right of way of Denning Drive.
2. It is the agreement of the parties that the extension of Lee Road shall be funded and completed prior to or at the same time as the construction of the enhancements on US 17/92. The bicycle facilities will be relocated from US 17/92 to Denning Drive by Winter Park prior to the construction of the US 17/92 enhancements. Unless and until the Lee Road extension project is completed, the Department shall have no obligation to fund the enhancements on US 17/92. Alternatively, if both projects can be and are funded together, the Department may elect to proceed with the construction of both projects at or about the same time.
3. The parties agree that the Department's request for FHWA funding for the enhancements along US 17/92 shall be conditioned on the Lee Road extension project being funded for design and construction prior to, or at the same time. Winter Park agrees to fully cooperate in establishing the Lee Road extension project as a high priority with the MPO and in the Department's work program.

4. Winter Park shall fund the cost of any sidewalk widths over 6 feet. Winter Park shall also fund all landscaping enhancements associated with the project. Winter Park will also fund the incremental cost associated with the texturing of the center bi-directional turn-lane on US 17/92. Winter Park and the Department will agree to the funding responsibilities of street lighting during the final design aspects of the study. The Department will be responsible for funding the remaining aspects of the project.


5. The parties agree and understand that the purpose of this memorandum is to establish the expectations of each with respect to the prioritization, funding and construction of these three related projects and that the enhancement of US 17/92 is dependent on the Lee Road extension and the construction of the bicycle trail along Denning Drive. All intentions relative to funding herein are dependent on the placement of funding into the Department's work program and on appropriation and funding of the work program each year by the legislature.

6. This Memorandum of Understanding shall be effective upon the last party to sign and shall remain in effect until the funds have been fully expended by the Department for the purposes set forth hereinabove.

**STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION**

  
By: William G. Walsh  
Title: Project Manager  
Date: 6/2/04

**THE CITY OF WINTER PARK, A MUNICIPALITY INCORPORATED UNDER  
THE LAWS OF THE STATE OF FLORIDA**

  
By: Kenneth R. Marchman  
Title: MAYOR  
Date: 5-24-04

Resolution #:

Date of Resolution:

Attest: Cynthia S. Bonham

By: Cynthia S. Bonham

Title: City Clerk